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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/505,350

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Johannes Petrus Maria Van Lammeren

NL02 0143 US

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08/04/2008

NXP, B.V.

NXP INTELLECTUAL PROPERTY DEPARTMENT

M/S41-SJ

1109 MCKAY DRIVE

SAN JOSE, CA 95131

EXAMINER

HILTUNEN, THOMAS J

ART UNIT

PAPER NUMBER

2816

NOTIFICATION DATE

DELIVERY MODE

08/04/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary	Application No. 10/505,350	Applicant(s) VAN LAMMEREN, JOHANNES PETRUS MARIA	
	Examiner Thomas J. Hiltunen	Art Unit 2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-7 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's amendment filed 12 April 2008 has been received and entered in the case. Newly presented claims 4-7 are rejected below.

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 4 and 5 (i.e., the second occurrence of 4 and 5 on pages 3 and 4 of the amendment filed 12 April 2008) have been renumbered 6 and 7.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Sheen (USPN 6,272,060).

With respect to claim 4, Sheen discloses in Figs. 3A-7A, 4. a method of processing digital input data (Qin of Fig. 3A) to produce different digital output data

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(data output of each latch of Fig. 3A) using a processing circuit (circuit of Fig. 3A) comprising flip flops (flip flops 307 of Fig. 3A, for instance each flip flop 307 of 306H of Fig. 3A details shown in Fig. 7A) each comprising a first latch (701 with 707 of Fig. 7A) and a second latch coupled in series (705 with 706 and 702 of Fig. 7A), the method (method of operating the circuit of Fig. 3A) comprising:

providing first and second non-overlapping clock signals (CLKN# and CLKN. For instance CLK1# and CLK1 are respectively provided from 305H to each flip flop of 306H. CLKN# and CLKN are non-overlapping see Col. 6 lines 15-28);

computing said digital output data, comprising:

clocking first latches of said flip flops (each 307 of 306H) using said first non-overlapping clock signal (latch of 707 with 701 of each 307 of 306H is clocked by CLK1#, see Fig. 3A and Fig. 7A); and

clocking second latches of said flip flops using said second non-overlapping clock signal (latch of 705 with 707 and 702 of each 307 of 306H is clocked by CLK1, see Fig. 3A and Fig. 7A); and

outputting said digital output data (each latch outputs data Q).

With respect to claim 5, Sheen discloses, the method of claim 4, further comprising:

producing multiple successively-delayed versions of the first clock signal (CLK2#-CLK8# generated by 304 with 305A-305G of Fig. 3A, CLK2#-CLK8# are delayed versions of CLK1#, since CLK2#-CLK8# all have a larger pulse widths than CLK1# and fall after CLK1# has fallen, see Figs. 4 and 5);

producing multiple successively-delayed versions of the second clock signal (CLK2-CLK8 are produced by 304 and 305G-305A which are delayed, i.e., have larger pulse widths and later fall times, with respect to CLK1 see Figs. 4 and 5);

clocking different subsets of the first latches using different respective ones of the successively-delayed versions of the first clock signal (CLK2#-CLK8# all clock a different subset of first latches. For instance, CLK1# clocks the subset of first latches within 306H, CLK6# clocks the subset of the first latches of 306C and CLK7# clocks the subset of first latches within 306B, etc.); and

clocking different subsets of the second latches using different respective ones of the successively-delayed versions of the second clock signal (CLK2-CLK8 all clock a different subset of second latches. For instance, CLK1 clocks the subset of second latches within 306H, CLK6 clocks the subset of the second latches of 306C and CLK7 clocks the subset of second latches within 306B, etc.).

With respect to claims 6 and 7, it can be seen that the above claims merely recite the structure for the circuit capable of performing the method as recited in claims 4 and 5. There is no patentable distinction between the method claims of 4 and 5 and the apparatus claims of 6 and 7. The circuit elements of Figs. 3A-7A of Sheen et al. that perform the method of claims 4 and 5 are constructed as recited in claims 6 and 7. Thus claims 6 and 7 are rejected for the same reasons as claims 4 and 5.

Response to Arguments

Applicant's arguments with respect to claims 4-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Hiltunen whose telephone number is (571)272-5525. The examiner can normally be reached on Mondays - Fridays from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

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supervisor, Lincoln Donovan, can be reached on (571) 272-1736. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TH
July 28, 2008
/Lincoln Donovan/
Supervisory Patent Examiner, Art Unit 2816